

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

Gary Gieselman,)	
)	
Plaintiff)	
)	
v.)	No. 4:10-cv-1619 RWS
)	
Valeria Wilson Jackson, et al.,)	
)	
Defendants.)	
)	

MOTION FOR SANCTIONS AGAINST VALERIA WILSON JACKSON

Plaintiff moves this Court for entry of sanctions against Defendant Valeria Wilson Jackson for failure to participate in discovery and comply with orders of this Court. In support, Plaintiff states:

1. On January 28, 2011, Plaintiff served a Request for Production upon Defendant Valeria Wilson Jackson. A response was due on February 27, 2011.
2. Plaintiff received no response from Jackson.
3. On April 5, 2011, this Court ordered Jackson to respond fully and without objection to the Request for Production within ten days (April 15, 2011). Doc. #75.
4. Plaintiff has received no response from Jackson.
5. Jackson has previously not fully participated in discovery in this case by failing to appear for her deposition on January 10, 2011, requiring it to be rescheduled.

WHEREFORE Plaintiff moves this Court for entry of an order granting his motion for sanction and imposing the following sanctions:

- A. Directing that fact that the purported release signed by Plaintiff, a copy of which is filed under seal as Doc. #27-2, is void be taken as established for the purposes of this action, as Plaintiff claims;
- B. Striking Jackson's Answer (Doc. # 42), Amended Answer (Doc. # 46), and Motion for Summary Judgment (Doc. #27);
- C. Rendering a default judgment against Jackson; and
- D. Imposing such other or further sanctions authorized by FED. R. CIV. P. 37 that are appropriate.

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION
OF EASTERN MISSOURI

/s/ Anthony E. Rothert
ANTHONY E. ROTHERT, #44827MO
GRANT R. DOTY, #60788MO
454 Whittier Street
St. Louis, Missouri 63108
PHONE: (314) 652-3114
FAX: (314) 652-3112
tony@aclu-em.org
grant@acul-em.org

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and a copy was made available electronically to the electronic filing participants.

/s/ Anthony E. Rothert